NOTIFICATION.

No. L.S. 2491—L.W. 240-51-9, Bangalore, dated 14th August, 1952.

The following draft of certain amendments to the Industrial Disputes (Mysore) Rules, 1951, which it is proposed to make in exercise of the powers conferred by Section 38 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) is hereby published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration after 15th September 1952.

Any objections or suggestions which may be received from any persons with respect to the said draft on or before the date specified will be considered by the State Government and the objections or suggestions may be sent to the Secretary to Government, Law Department, through the Commissioner of Labour in Mysore, Bangalore.

AMENDMENTS.

Draft Amendments to the Industrial Disputes (Mysore) Rules, 1951.—After Rule 21 of the said Rules, the following rule shall be inserted, namely:—

21-A. Procedure for obtaining copies of the records of the case and the fees to be paid.—(1) A party to a dispute shall be entitled at any stage to obtain a copy of the records of the case or any portion thereof including exhibits which have been put in and finally accepted in evidence, but excluding confidential papers and office notes. A stranger to a dispute may obtain a copy of an award or any document on the record of a case except that copies of exhibits admitted in evidence shall not be given to such stranger without the consent of the person by whom they were produced or his successor in interest.

(2) Every such copy shall be prepared in the Tribunal's Office, be examined and certified as correct before it is issued.

(3) All copies shall be made on impressed and ruled sheets of the value of annas three and a half each. Each sheet contains 16 lines on which copying is to be done. Each sheet should contain not less than 100 English or 125 vernacular words.

(4) On each copying sheet used ..... pies represent the payment to the Government on account of the cost of paper, cost of printing and the commission to the stamp vendors, etc.; the remaining ..... pies will represent the earnings of the copyist and examiner, the former receiving ..... pies and the latter ..... pies. When the copy is ready the upper part

of each stamp must be torn off each sheet along the perforated line and then signed by the copyist and examiner and kept till the end of the month.

(5) Copying sheets shall be supplied to the Tribunal by the party applying for the copies in advance.

(6) When a party applies for immediate delivery of a copy of any such award or record, additional copying sheets of the value equal to one-half of the value of the sheets required under sub-rule 5 above shall be supplied.

(7) When the copy applied for has been prepared by the copyist, it shall be compared by the examiner aided by a reader who may be a copyist but in no case shall a copy be read to an examiner, nor shall the examiner be in any way assisted, by the copyist who prepared the copy. If in any Court no examiner has been appointed, the best qualified of the copyists shall be selected for this work. No copies shall be prepared or examined by any salaried official of the Court nor shall such official receive any remuneration therefrom. In exceptional cases where the income does not admit of the entertainment of separate copyists and examiners or where candidates to take up such posts are not available, the Tribunal may permit the salaried officials of the Tribunal to prepare or examine copies and to receive remuneration for the work done.

(8) Every copy must bear the signature of the copyist making it and the date on which it was completed and also the signature of the clerk who examined the copy and the date on which such copy was examined.

(9) If the applicant furnishes his address accompanied by a sufficient amount (in cash) to cover the cost of Registration, a copy may be sent to him by post or the copy may be delivered to him in person at the Tribunal's Office.

(10) A certified copy shall bear the seal of the Tribunal and shall be certified to be a true copy and signed by a member of the Tribunal or an official empowered to do so by the Chairman of the Tribunal.

(11) A Register shall be maintained in the office of the Tribunal in respect of applications for copies in Form J (appended to these rules).

21-B. Inspection of Records of the Tribunal.—(1) The records of any case shall not be removed from the Tribunal's premises except under orders of the Chairman or a Member.

(2) Inspection of records can only be allowed upon an application being made in Form K (appended to these rules).

(3) No record or paper of any case shall be inspected by any person other than the Chairman or a Member of the Tribunal except upon an order in writing of the Chairman or a Member of the Tribunal:

Provided that a party appearing in person in a case or a legal practitioner appearing for a party may upon filling an application in the form mentioned in sub-rule 2 above inspect a record without a formal order in writing obtained under this rule but in the presence of an official nominated by the Chairman of the Tribunal for the purpose of inspection:

Provided further that nothing in this rule shall apply to inspections made in Court under orders obtained from the Tribunal and in presence of the Court clerk.

(4) A stranger to a case shall not be entitled as of right to inspect any record or document. He may, however, apply in the prescribed form (see sub-rule 2) for an order to inspect such record or document provided that he shall not be allowed to inspect exhibits put in evidence except with the consent of his successor in interest. He must clearly state the reason for which inspection is sought.

(5) Every order by which inspection is allowed shall state the name of the person who may make such inspection.

(6) No person inspecting a record or paper shall make any mark on or in any respect mutilate any record or paper which is being inspected.

21-C. Application for obtaining information.—(1) Application for information shall be made by the parties or their representatives only in the Form L.

(2) If the information is immediately available the clerk shall fill in the information both in the upper and lower halves of the form in their proper places and if the information is not immediately available the clerk shall state in the appropriate place the date on which the applicant should call for the information and make over the lower portion of the form to the applicant. Upon the applicant calling for the information on the date stated he shall supply the information in the appropriate place and acknowledgment for the same being obtained on the upper portion of the form, which shall be kept in the records of the case.

(3) Information requiring anything but short answers shall not be given. If an extract from the record or the substance of any order or decision or other document is desired, the procedure prescribed under Rule 21-A shall be followed.

FORM No. I.

INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Application for Copy.

Sl. No. Application for urgent / ordinary copy.

Case No.....of 19

Petitioner.....

Vs.

Respondent.....

Description of document of which a copy is wanted with date when necessary

.....

.....

Application is made by.....

the undersigned for a certified copy of the document noted above from the Tribunals file in the above case which was disposed of on...../is still pending.

Date .....

.....

Signature of the applicant.

Office Report. ESTIMATE OF COSTS.

The copy will cover

.....Sheets.

.....

(Applicant's signature)

Record received on.....

Copy will be ready on.....

Copy actually ready on.....

Copy delivered on.....

.....

Clerk.

.....

Head Clerk.

Perforated.

Sl. No.

Received the application for copy bearing the above No.

Received copy on.....

.....

(Applicant).

Rs. a. p.

Estimated cost

To attend for copy.....

Date.....

.....

Head Clerk.

FORM No. J.

INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Register for Application for Copy.

Sl. No.	Date of receipt of application	Name of applicant	Description of Document	Copying fee assessed	Receipt No. and date of payment of Fees	Copied by	Copy ready date	Copy delivered date	Remarks
1	2	3	4	5	6	7	8	9	10

FORM No. K.

INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Sl. No. Date of Application.....

Application for inspection of the record in the undermentioned pending/ disposed of case.

Description of case	No.	Year	Description of the papers of which inspection is required	Name of person or persons who will inspect the records (not exceeding three including the inspecting advocate)

The.....195 .

.....

(Signature of the applicant).

Note.—If the applicant is a stranger or a party appearing in person in a case, he must say so in the application and state the reasons for which he seeks inspection.

FORM No. L.

INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Application for Information.

Sl. No.
Regarding Case No.....of 195 .

*Nature of information required.....

The.....195. Signature of applicant.

Date when the applicant will call for the information.....

Office Report regarding information :—

The.....195 .

Signature of the officer supplying the information.

Information received on
The..... .....195 . Signature of applicant.

(*Perforated*).

Regarding case No.... .....of 195 .
Date by which information is to be ready.....
Information.....

Supplied on.....
Signature of the officer supplying the information.

*To be filled in by the applicant.

N. R. JAYA RAO,
Secretary to Government,
Law Department.